761551N25A - SH-AD-32A

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: October 22, 2012
FILE NO:

OFFICE CORRESPONDENCE

FROM: MICHAEL J. ROTHANS, COMMANDER
FIELD OPERATIONS REGION III

TO: ALICIA E. AULT, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS:

Case Number:	SH2304235 / FO2304232
Incident:	Non-Hit Shooting / Significant Force
Incident Date:	January 2, 2012
Unit:	Temple Station / FOR I
Suspect:	Eduardo Sanchez, M/36
Involved Employee:	Deputy Paul Han, #[redacted]
EFRC Date:	October 22, 2012

The Executive Force Review Committee consisting of Commander Michael Rothans, Commander David Fender and Commander Buddy Goldman met and reviewed the above case.

FINDINGS:
Based on the deputy being in a fight for his life and the belief the suspect was armed with a handgun, along with the deputy firing one round from his handgun in a controlled manner, the Committee determined the force used by Deputy Han was objectively reasonable and in compliance with Department Policy. The Committee also determined the tactics used by this deputy were within the Department's training standards.

RECOMMENDATIONS:
The Committee recommended that Deputy Han attend the four hour Arrest and Control for Field Operations class. In addition, the Committee recommended the unit commander, Captain Christopher P. Nee, conduct a tactical debriefing with the involved deputy regarding this incident.

MJR:JER:jer

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MISCELLANEOUS DOCUMENTS

Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
01-02-12	FOR III/Temple Sheriff Station	☐	☐

Incident Information

URN: 012-00055-0524-011	Date: 01-02-12 Time: 1630 hours
City or Station: Temple City	Nature of Incident: Deputy Han detained possible burglary suspect on bicycle. When Deputy attempted to handcuff suspect, who was sitting in backseat of radio car, suspect fought deputy, attempting to escape. Suspect attempted to remove deputy's weapon from his holster. Deputy used OC spray, suspect ran away, Suspect turned toward deputy with possible weapon. Deputy shot once. Suspect caught weeks later by Sheriff personnel after Suspect fought with deputies to avoid arrest.
Location: Halifax Avenue/Lower Azusa Road	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, **Street**
Other: ____________

Lighting (*circle only one*): Darkness, **Daylight**, Other, Street Lights

Weather (*circle only one*): **Clear**, Cloudy, Fog, Rain

Distance: 15-20'

Incident Type (*circle one or more*): Accidental, **Armed Person**, **Fleeing Suspect**, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, **Struggle Involved**, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot
Other: pedestrian stop

Initiated by (*circle only one*): Arrest Warrant, Call, **Observation**, One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, **Routine Patrol**

Total # of Shots Fired by Deputy: 1

Total # of Shots Fired by Suspect: 0

Aero Unit? ☒ Canine Unit? ☒

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
[redacted]	Gonzalez	Eric	H.	**On Duty**; Present during shooting; Witness to shooting; Involved in shooting
				On Duty; Present during shooting; Witness to shooting; Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Bergner	Ryan	T.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Murakami	Timothy	K.

PSTD Use Only

SH # 2304235

SH-R-438A rev. 3/07

See Reverse

Officer Involved Shooting

URN: 012-00055-0524-011

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
01-02-12	1800	08-10-12	

Employee #	Last Name	First Name	M.I
[redacted]	Fredericks	Stefanie	R.
[redacted]	Haynes	Laura	L.
[redacted]	Rossi	John	E.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious

(RM) Refused Med Treatment

(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	PH					CP	FA
E#1	S#1	OC						
S#1	E#1	PK					CP	CH
E#1	S#1	FH	BR	9	Y	Y	NN	

Officer Involved Shooting
Involved Employee Information

URN: 012-00055-0524-011

Involved Employee

E 1

Employee # [redacted]	Last Name: Han	First Name: Paul	M.I.: NMI
Sex: M Race: O	Rank: Deputy Sheriff	Unit Assignment: Temple Station	Work Assignment (Unit #, Module, etc.): Patrol
ShiftTime (*circle only one*): EM **(PM)** Day	ShiftType (*circle only one*): **(Regular)** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☒
Hrs of sleep prior to shooting: 7-8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, **(Uniform w/ Vest)**	Other Factors:
Age: [redacted] Height: 5' 09"	Weight: 170		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber: 9mm # Shots: 1	Weapons Fired Brand:	Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber # Shots	Weapons Fired Brand:	Caliber # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber # Shots	Weapons Fired Brand:	Caliber # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

URN: 012-00055-0524-011

Suspect Information

S 1

Last Name: Sanchez	First Name: Eduardo	M.I.: A.
AKA Last Name:	First Name: Eddie	M.I.:

Sex: M Race: Hispanic	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 36 D.O.B. 04/09/75	Height: 5' 07" Weight: 220	FBI #: [redacted]	CII #: [redacted]
Booking #: 3035934	Primary Charge: 148(a) P.C.	Secondary Charge: 148(d) P.C.	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☒	Substance Used: methamphetamine
Armed? ☐	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make:		Model:	Year:

S __

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S __

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S __

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

See Other Side

INVESTIGATIVE SUMMARY
NON-HIT DEPUTY INVOLVED SHOOTING
SIGNIFICANT USE OF FORCE (Resisted Handcuffing, Oleoresin Capsicum Spray)
IAB #SH2304235/FO2304232
FILE #012-00055-0524-011

Involved Employee:	**Paul Han, Deputy Sheriff, #[redacted]** **Temple Sheriff Station**
Date:	**January 2, 2012 (Monday)**
Time:	**Approximately 1630 hours**
Location:	**10600 Block of Lower Azusa Road** **Temple City, California 91780**

<u>OPENING STATEMENT:</u>

Deputy Han, employee #[redacted] was working Temple Unit 52, PM Shift, when he responded to a burglary call. Deputy Han took a residential burglary report and left the residence. Deputy Han canvassed the neighborhood due to a large volume of burglaries in the area, and contacted a neighbor, Mrs. [redacted]. Deputy Han asked Mrs. [redacted] if she had seen anything out of the ordinary during the times of the burglary of her neighbor. Mrs. [redacted] told Deputy Han a Hispanic adult male, wearing a black baseball cap, and a black and blue shirt, had knocked on her door, and when she answered, he muttered something that didn't make sense, and left.

Armed with the description of a possible burglary suspect, Deputy Han drove south on Doreen Avenue, toward Lower Azusa Road, when he saw a man, matching the possible burglar's description riding a bicycle westbound, on the north sidewalk of Lower Azusa Road. The suspect wore a black and blue shirt, had a black baseball cap on his handlebars, and also wore a black backpack. Deputy Han conducted a traffic stop, and the suspect initially complied.

Deputy Han did a cursory search for weapons, during which he found a large metal chain locked with a padlock, wrapped around the suspect's waist and upper torso. Deputy Han was unable to remove the chain at that time. Not only did the suspect match the description of the burglar, but he also displayed obvious symptoms of being under the influence of a stimulant. Deputy Han detained the suspect, and placed him handcuffed in the backseat of his radio car.

Inside the car, Deputy Han un-handcuffed the suspect, and asked the suspect to remove the chain from his body, which the suspect did. While doing so, Deputy Han heard a loud metal "clink" from the suspect's waistband, but he believed it was probably just the sound of the chain. The suspect had no identification, and began giving Deputy Han various names. The name the suspect stuck with was "[redacted]" but that name returned no record on file on Deputy Han's Mobile Digital Terminal (MDT).

Deputy Han searched the suspect's backpack and found a "Dremel" tool, which appeared to be new, as well as a glass pipe containing Methamphetamine. Deputy Han then walked to the back of the radio car, intent on placing the suspect under arrest, and re-handcuffing him. The suspect initially complied with Han's orders to turn away from him in the back seat of the car, and place his hands behind his back. When Deputy Han opened the car door, the suspect turned toward Deputy Han and lunged at him. The suspect violently attacked Deputy Han, punching him in the face and upper torso multiple times. Deputy Han said he "had never been hit that hard in his life," and was stunned. Deputy Han tried to reach for his radio microphone attached to his uniform shirt, but could not reach it due to the suspect's continued violence. Deputy Han was able to grab his pepper spray, and sprayed it in the suspect's direction, but Deputy Han was unsure if it hit the suspect.

The suspect then grabbed the butt of Deputy Han's duty weapon and tried to remove it from the holster. Deputy Han pushed down on the locking mechanism of his holster, and then shoved the suspect backwards as hard as he could. The suspect fell back into the seat of the radio car. Deputy Han attempted to close the radio car door, but the suspect kicked the door open, and then with both feet, kicked Deputy Han in the chest. The suspect then kicked the radio car door a second time. Not wanting to get hit by the radio car door, Deputy Han staggered backwards away from the threat. The suspect exited the radio car and ran in a southeast direction.

Deputy Han regained his balance, and then saw the suspect turn back toward him. The suspect was 15-20 feet away from him, when he saw the suspect reach toward his waistband. The suspect removed a black object, believed to be a handgun, and pointed it toward Deputy Han. Deputy Han drew his Beretta and fired one round at the suspect. The suspect again ran in a southeast direction. Still suffering the effects of the suspect's violence, Deputy Han did not pursue the suspect, but did run east down the sidewalk to maintain a visual of the suspect, and broadcast over the radio. As Deputy Han ran, he utilized available trees and street light poles as cover. The suspect fled across the street from Deputy Han, behind a strip mall, and out of Deputy Han's sight.

A lengthy containment and search of the area, which included SEB canine, as well as a scent dog, met with negative results. The suspect was not located at that time.

Deputy Han was taken to Irwindale Medical Center where he was treated and released. He was then transported to Temple Sheriff station (Refer to **Exhibit A**, for Deputy Han's report).

No witnesses to the shooting were identified (Refer to Exhibits **B through H**, supplemental reports by assisting deputies documenting their actions during this incident).

In the weeks following the incident, Temple Sheriff Station Detective Craig Johnson, employee #[redacted], was given possible suspect information by an informant (Refer to **Exhibit I**, for supplemental report, wanted flyer and a copy of a photograph of suspect's bicycle).

Temple Sheriff Station handling Detective [redacted] through investigation and a positive identification by Deputy Han, identified the suspect as Eduardo Sanchez (Refer to **Exhibit J,** Detective [redacted] supplemental report, and "six- pack" photos). Suspect Sanchez was placed under surveillance by the Major Crimes Bureau Apprehension Team, and with the assistance of Temple Sheriff Station personnel he was arrested (Refer to **Exhibit K**, SH-R-49). Suspect Sanchez fought with deputies during his arrest (Refer to **Exhibits L through P**, Supervisors Use of Force Form, and Supplemental Reports by assisting deputies).

> **IAB Note:** Suspect Sanchez was additionally involved in a use of force with Baldwin Park Police Department on January 27, 2012, prior to his arrest on February 2, 2012 (Refer to **Exhibit Q**, copy of police report).
>
> **IAB Note:** Internal Affairs Bureau Lieutenant Stefanie Fredericks, employee #[redacted], checked to see that the Watch Commander, Lieutenant Timothy Murakami, employee #[redacted], took reasonable steps to ensure that the involved and witness personnel did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators, and that the involved and witness personnel did not collectively consult with their attorney or representative. In addition, Internal Affairs Bureau Lieutenant Stefanie Fredericks checked to see if the Watch Commander attempted to have involved and witness personnel gather in the company of a supervisor, Sergeant Ryan Bergner, employee #[redacted] until they have provided a statement to the assigned investigators.

INVOLVED PERSONNEL:

Han, Paul Deputy Sheriff, #[redacted]
Field Operations Region III
Temple City Station

Work History:

Han, Paul
Date of Employment: 11-30-05
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training: [redacted]
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents: [redacted]

WITNESS PERSONNEL:

None

SUSPECT:

Sanchez, Eduardo, MH/04-09-1975

Criminal History:



Suspect Sanchez is currently [redacted] (Refer to **Exhibit R**, CCHRS report).

WITNESSES:



[redacted] MH/[redacted]

[redacted], MH/[redacted]

> **IAB Note:** Although there were no witnesses to the force or shooting, two civilians did hear the gun shot and saw the suspect running away.

INJURIES:

Deputy Han suffered pain and swelling to the right side of his face. He also had abrasions and minor bleeding on his arms and hands, as well as bruising on his upper chest area and right knee (Refer to **Exhibit S**, copy of a photograph of Deputy Han's injuries).

PHYSICAL EVIDENCE:

There was no notable physical evidence (Refer to **Exhibit T**, documentation of evidence by crime lab).

INVESTIGATOR OBSERVATIONS:

The shooting occurred during daylight hours. Responding Internal Affairs Bureau Sergeants walked through the crime scene and noted the area was illuminated from overhead street lights (Refer to **Exhibit U**, diagrams of crime scene).

WEAPON USED BY DEPUTY PERSONNEL:

Deputy Han fired one round from his department issued Beretta 92FS, 9mm Luger caliber semi-automatic pistol, bearing serial number BER[redacted], utilizing department issued 9mm Luger caliber cartridges. The weapon and ammunition were found to be within specifications consistent with the Beretta pistol (Refer to **Exhibit V,** copy of firearm description from crime lab).

Deputy Han qualified with his weapon on [redacted]

WEAPON USED BY SUSPECT:

No weapon was recovered, although Suspect Sanchez pointed what Deputy Han believed was a weapon at him.

PROPERTY DAMAGE:

There was no property damage during this incident.

Deputy Han's round was not recovered.

CRIMINAL INVESTIGATOR/CHARGE FILED:

Investigator: Detective [redacted]

Court: Alhambra Superior Court

Charges: 148(d) PC, Attempted Firearm Removal; 243(c)(2) PC, Battery with Injury on a Peace Officer; 69 PC, Resisting Executive Officer; 836.6(b) PC, Escape from Arrest; 148.9(a) PC, Giving False Information to a Police Officer; 11364(a) HS, Possession of Smoking Device; 148(a)(1) PC, Resist, Obstruct, or Delay of Peace Officer or EMT.

Court Date: Suspect is currently incarcerated in WASCO State prison with an Immigration Hold.

IAB Note: (Refer to **Exhibit W**, Felony Complaint).

LIGHTING AND WEATHER CONDITIONS:

The lighting and weather conditions were consistent with a clear sunny day in January 2012.

INVOLVED EMPLOYEE STATEMENT:

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the recorded interviews and transcriptions.

Deputy Han:

Deputy Han was interviewed at the Internal Affairs Bureau Offices by Sergeant Laura Haynes, employee #[redacted] and Sergeant Carlos Flores, employee #[redacted] on February 9, 2012. He was represented by Alfonso Estrada of the Law Offices of Green and Shinee.

Deputy Han essentially told the same account as documented in his first report. He said he was patrolling the area known for frequent burglaries.

Deputy Han had received information from a neighbor, close to where a residential burglary had occurred, giving a description of a suspicious person at her door step.

Deputy Han said within fifteen minutes of obtaining a possible burglary suspect description, he saw a male hispanic matching the description, riding a bicycle. Deputy Han detained the suspect regarding a possible burglary investigation.
Deputy Han said he patted the suspect down for weapons and found a large chain with a padlock wrapped around the suspect's waist.

Deputy Han also recognized Suspect Sanchez to be under the influence of a controlled substance. Deputy Han handcuffed Suspect Sanchez. Deputy Han placed Suspect Sanchez in the back seat of his radio car, pending his transport to the station for booking. A subsequent search of Suspect Sanchez' property revealed a glass narcotic pipe, containing methamphetamine and a new Dremel tool. Deputy Han ran the suspect's name that he gave, [redacted], numerous times through his MDT, but no record on file returned.

Deputy Han returned to the suspect, un-handcuffed him, and told him to remove the large metal chain and padlock. Deputy Han told the suspect to turn away from him to be re-handcuffed, and place his hands behind his back. Deputy Han said initially the suspect complied, then quickly spun, and lunged half way out of the radio car and began punching Deputy Han in the face. Deputy Han said it was all he could do to attempt to defend himself. Deputy Han said he was able to reach for his pepper spray and sprayed at the suspect. Deputy Han said he did not know if the spray was effective. He could now feel the suspect pulling on his duty weapon, attempting to remove it from the holster. Deputy Han said he was afraid for his life and pushed down on his weapon to engage the locking mechanism.

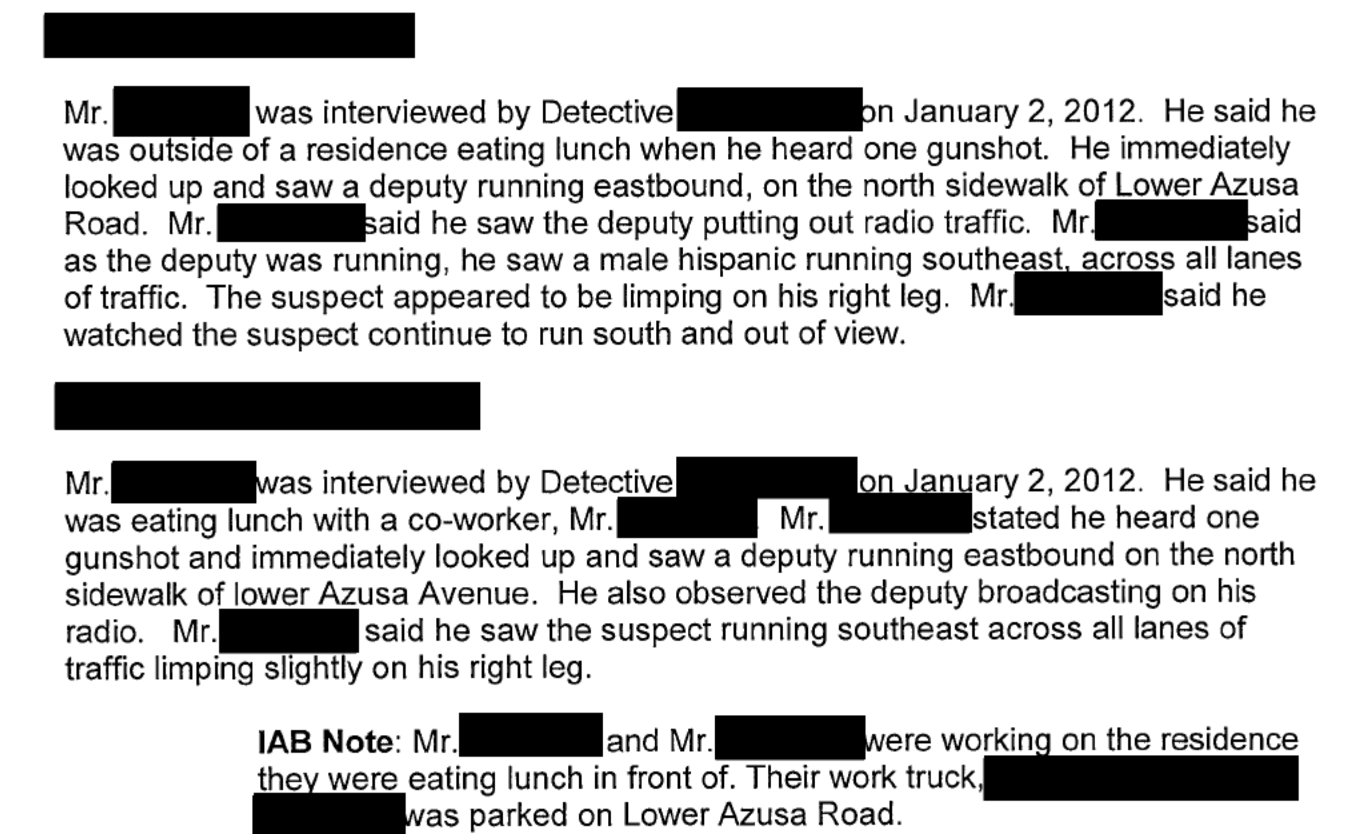
Deputy Han said he somehow pushed Suspect Sanchez back into the radio car, where he landed on his buttocks. Deputy Han attempted to close the radio car door, but Suspect Sanchez, with both feet, kicked it open, and kicked Deputy Han in the chest. Deputy Han said this attack "dazed" him, and he moved backward. Suspect Sanchez escaped from the back seat of the radio car and took off running in a southeasterly direction across Lower Azusa Road.

Deputy Han said the violent attack from Suspect Sanchez left him injured, and he did not give chase. He utilized cover, and watched the suspect as he broadcasted the incident. Deputy Han said when the suspect was approximately fifteen to twenty feet from him, Suspect Sanchez turned his body halfway, and with both his hands toward his waistband, produced a dark object. Deputy Han perceived this movement and retrieval of a dark object to be a weapon and Deputy Han fired one round at the suspect. The suspect continued running and out of view. Deputy Han immediately broadcast that a deputy involved shooting had occurred.

> **IAB Note**: Deputy Han said he was not sure if he had hit the suspect, but did observe after he fired one round, the suspect appeared to limp as he was running away. When Suspect Sanchez was apprehended, he was seen medically for the injuries he sustained during his force with the arresting deputies. No evidence of a gun shot wound was documented.

WITNESS STATEMENTS:

There were no eye witnesses identified to Deputy Han's shooting. Of those witnesses identified by Temple Sheriff Station personnel as hearing the shooting, or observed Deputy Han after the shooting, the following information is provided.



[redacted]

Mr. [redacted] was interviewed by Detective [redacted] on January 2, 2012. He said he was outside of a residence eating lunch when he heard one gunshot. He immediately looked up and saw a deputy running eastbound, on the north sidewalk of Lower Azusa Road. Mr. [redacted] said he saw the deputy putting out radio traffic. Mr. [redacted] said as the deputy was running, he saw a male hispanic running southeast, across all lanes of traffic. The suspect appeared to be limping on his right leg. Mr. [redacted] said he watched the suspect continue to run south and out of view.

[redacted]

Mr. [redacted] was interviewed by Detective [redacted] on January 2, 2012. He said he was eating lunch with a co-worker, Mr. [redacted] Mr. [redacted] stated he heard one gunshot and immediately looked up and saw a deputy running eastbound on the north sidewalk of lower Azusa Avenue. He also observed the deputy broadcasting on his radio. Mr. [redacted] said he saw the suspect running southeast across all lanes of traffic limping slightly on his right leg.

> **IAB Note**: Mr. [redacted] and Mr. [redacted] were working on the residence they were eating lunch in front of. Their work truck, [redacted] was parked on Lower Azusa Road.

SUSPECT STATEMENT:

Suspect Sanchez was interviewed by Detective [redacted] and Sergeant Steinwand of Temple Sheriff Station Detective Bureau, as well as Detective Faulkner of Major Crimes Bureau. Suspect Sanchez acknowledged he escaped custody from the backseat of Deputy Han's radio car. Suspect Sanchez said he only had to "push" past the deputy to escape, and denied ever kicking or punching the deputy. Suspect Sanchez told Detective [redacted] as he was running away from Deputy Han, he did reach his hands toward his waistband, and he could see how the deputy might interpret that action as reaching for a weapon.

> **IAB Note:** During Detective [redacted] interview with Suspect Sanchez , he explained the suspect's actions of running from Deputy Han, blading his body toward the deputy, coupled with his hands reaching toward his waistband, were interpreted by Deputy Han as movements by the suspect reaching for a weapon. Initially in the interview, Suspect Sanchez was adamant his actions could not be construed as concealing a weapon. After it was explained to the suspect by the detective regarding the suspect's aggressive attack on Deputy Han, and subsequent fleeing from the radio car, Suspect Sanchez admitted his actions were consistent with a suspect attempting to remove a handgun from his waistband.

Suspect Sanchez said Deputy Han did utilize his pepper spray, but it had no effect on him. Detective [redacted] documented in his Supplemental report that no mention was made by him to Suspect Sanchez attempting to remove Deputy Han's weapon from the holster. However, Suspect Sanchez volunteered information to Detectives that he did not attempt to remove the deputy's weapon.

Suspect Sanchez was asked why he ran from the deputy, and he told Detectives he had an outstanding warrant and was afraid.